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PATENT

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10/15/02

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

Applicant: Juan Carlos Parodi

: Art Unit: 3738

Serial No.: 09/764,554

: Examiner: C. L. Miller

Filed: January 18, 2001

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For: ENDOLUMINAL DEVICE AND
METHOD FOR TREATING BRANCHED
LUMEN HAVING A RESTRICTED
SECTION (As amended)

:

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TECHNOLOGY CENTER R3700

TERMINAL DISCLAIMER TO
OVERCOME DOUBLE PATENTING REJECTION

Commissioner of Patents
Washington, D.C. 20231

SIR:

I, Christopher R. Lewis, represent that I am an attorney of record for this invention.

Juan Carlos Parodi, owner of 100 percent interest in the above captioned patent application, hereby disclaims the terminal part of the statutory term of any patent granted on the above-identified application, which would extend beyond the expiration date of the full statutory term defined in 35 U.S.C. §§ 154, 155, 156 and 173 of U.S. Patent No. 6,238,432, except as provided below. It is agreed that any patent issuing from the present application shall be enforceable only for and during such period that said patent shall be commonly owned with U.S. Patent No. 6,238,432, this agreement to run with any patent granted on the above-identified application and to be binding upon the grantee, its successors or assigns.

In making the above disclaimer, disclaimant does not disclaim the terminal part of any patent granted on the instant application that would extend to the expiration date of the full statutory term (as defined in 35 U.S.C. §§ 154, 155, 156 and 173) of U.S. Patent No. 6,238,432, in the event that U.S. Patent No.

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6,238,432 later: expires for failure to pay a maintenance fee, is held unenforceable, is found invalid by a court of competent jurisdiction, is statutorily disclaimed in whole or terminally disclaimed under 37 C.F.R. § 1.321, has all claims cancelled by a reexamination certificate, is reissued, or is terminated prior to expiration of its full statutory term, except for the separation of legal title stated above.

I hereby declare that all statements made herein of my own knowledge are true, and that all statements made on information and belief are believed to be true; and further, that these statements are made with the knowledge that willful false statements, and the like so made, are punishable by fine or imprisonment, or both, under Section 1001, Title 18 of the United States Code and that such willful false statements may jeopardize the validity of the application or any patent issuing thereon.

The fee of \$110.00 set forth in 37 C.F.R. § 1.20(d) is submitted herewith.

Respectfully Submitted,



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Attorney for Applicant

Dated: October 2, 2002

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The Commissioner is hereby authorized to charge payment to Deposit Account No. **18-0350** of any fees associated with this communication.

I hereby certify that this correspondence is being deposited with the United States Postal Service as first class mail in an envelope addressed to: Assistant Commissioner for Patents, Washington, D.C. 20231 on:

October 2, 2002



Christopher R. Lewis